
UNITED STATES DISTRICT COURT
District of Minnesota

First State Bank and Trust, a Minnesota
banking corporation,
Plaintiff,

v.

JUDGMENT IN A CIVIL CASE

Case Number: 11-cv-2804 (DWF/TNL)

The Vessel, *B & B on the River*, U.S.
Official No. 1196593, *in rem*; Verne B.
Porter; Rebekah L. Porter; and United States
of America, Department of Treasury-
Internal Revenue Service,
Defendants.

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED THAT:

1. The motion for Summary Judgment filed by Plaintiff, First State Bank and Trust (Doc. No. 17.) is hereby **GRANTED**.

2. Judgment is hereby entered for foreclosure of Plaintiff, First State Bank and Trust's Preferred Mortgage against The Vessel, *B & B on the River*, U.S. Official No. 1196593, *in rem*, pursuant to Section 31325(c) of Title 46, United States Code, which governs Admiralty and Maritime Claims and within the meaning of Rule 9(h) of the Federal Rules of Civil Procedure;

3. Judgment is hereby entered adjudicating that the interest of Plaintiff, First State Bank and Trust, in The Vessel, *B & B on the River*, U.S. Official No. 1196593, is prior and superior to the interest of Defendants, Verne B. Porter and Rebekah L. Porter, pursuant to 46 U.S.C. § 31321, and in conformance with Subchapter II of Chapter 313 of Title 46 of the United States Code;

4. Judgment is hereby entered against Defendant, Verne B. Porter, for all amounts due and owing under the Note in the total amount of One Hundred Eighty Six Thousand Four Hundred Seventy Four and 26/100 Dollars (\$186,474.26), which consists of unpaid principal in the amount of One Hundred Seventy Two Thousand Seven Hundred Thirty One and 46/100 Dollars (\$172,731.46), plus accrued but unpaid interest as of March 16, 2012, of Thirteen Thousand Seven Hundred Forty Two and 80/100 Dollars (\$13,742.80), which continues to accrue interest from March 16, 2012, to the date of final judgment at the present daily rate of Thirty Nine and 04/100 Dollars (\$39.04);

5. Judgment is hereby entered against Defendant, Verne B. Porter, for Plaintiff, First State Bank and Trust's reasonable attorney fees, incurred herein, pursuant to Rule 54 of the Federal Rules of Civil Procedure, in the total amount of Ten Thousand One Hundred Ninety Three and 22/100 Dollars (\$10,193.22).

6. Judgment is hereby entered against Defendant, Verne B. Porter, for all costs incurred by Plaintiff, First State Bank and Trust, *in custodia legis* for repossession, storage, and maintenance of the Vessel and the Mortgaged Property in the total amount of Twelve Thousand Eight Hundred Eighty Six and 20/100 Dollars (\$12,886.20).

March 28, 2012

Date

RICHARD D. SLETTEN, CLERK

s/Thomas S. Schappa

(By)

Thomas S. Schappa Deputy Clerk